

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

ISAAC A. LEYBA,

Plaintiff,

vs.

Civ. No. 01-1323 JP/WWD ACE

LAS VEGAS MEDICAL CENTER, et al.,

Defendants.

MEMORANDUM OPINION AND ORDER

This matter comes before the Court upon the Unopposed Motion to Vacate Deadlines and for Scheduling Conference [docket no. 39] filed by Defendants States of New Mexico, Department of Health, Las Vegas Medical Center and John Esquibel. This cause was filed on November 26, 2001. On January 31, 2003, former counsel, attorneys at the Risk Management Legal Bureau, were terminated, and Kevin Brown was assigned the case as of January 29, 2003. Mr. Brown now asserts that he “will be unable to become familiar with the case and complete discovery by March 17, 2003.” The trial of this cause has been postponed previously. The present trial setting is for August 25, 2003. Under the circumstances here presented, it is not unreasonable to ask Mr. Brown to bestir himself and to prepare the case in accordance with the trial schedule set by the Court.

**WHEREFORE,**

**IT IS ORDERED** that the Unopposed Motion to Vacate Deadlines and for Scheduling Conference [docket no. 39] be, and it is hereby, DENIED.

  
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UNITED STATES MAGISTRATE JUDGE